

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ASTRAZENECA LP and
ASTRAZENECA AB,

Plaintiffs,

v.

APOTEX, INC. and
APOTEX, CORP.,

Defendants.

)
)
) Civil Action No. 1:09-cv-1518 (RMB)
)
)

)
) **ORDER FOR TEMPORARY**
) **RELIEF**
)
)
)

THIS MATTER having been presented to the Court upon application for Interim Relief by counsel for plaintiffs AstraZeneca LP and AstraZeneca AB ("AstraZeneca"), pursuant to Rule 65, Fed. R. Civ. P. and Local Civil Rule 65.1, against defendants Apotex, Inc. and Apotex, Corp. ("Apotex"), and the Court having read and considered the materials submitted herewith, and it appearing that the matter presented herein is of a sufficiently emergent nature to justify the entry of this Order, and that this application is properly addressed by entering an Order for interim relief, and upon good cause having been shown,

IT IS on this 21st day of April, 2009,

ORDERED that:

1. Apotex and its officers, agents, servants, employees, attorneys, and any and all other persons or entities acting by, through, under or in active concert or in participation with any or all of them, are hereby temporarily restrained from making, using, selling, offering for sale, or importing products pursuant to its Abbreviated New Drug Application ("ANDA") that was approved by the FDA for a generic version of AstraZeneca's PULMICORT RESPULES® product ("Apotex Products").

2. This Order for Interim Relief shall remain in full force and effect until further Order of this Court. AstraZeneca shall post a Temporary Restraining Order bond in the amount of two million five hundred thousand U.S. dollars (\$2,500,000). AstraZeneca is acting as its own surety with respect to the Temporary Restraining Order Bond.

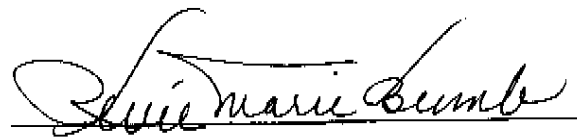
3. The bond posted by AstraZeneca in the Registry of the Court on April 9, 2009 is null and void and superseded by the Temporary Restraining Order Bond, posted by AstraZeneca in the Registry of the Court on April 17, 2009.

4. Service of this Order and AstraZeneca's Temporary Restraining Order Bond shall be permitted by overnight mail, which shall be effected immediately upon Apotex's counsel listed below:

Eric I. Abraham
HILL WALLACK LLP
202 Carnegie Center, CN 5226
Princeton, NJ 08543

Richard Basile
David Aldrich
ST. ONGE STEWARD JOHNSON & REENS, LLC
986 Bedford Street
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5. Counsel for AstraZeneca and Apotex are hereby further ordered to appear before this Court on April 27, 2009 to be continued as necessary on April 30 and May 1, 2009, commencing at 9³⁰ a.m. to further address the foregoing interim and emergent relief.


Louise Marie Lumb